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JAN 2 7 2006

**OFFICE OF PETITIONS** 

In re Application of

Kenneth E. Johnson

Application No. 10/086,224

Filed: February 23, 2002

Attorney Docket No. None

ON PETITION

This is a decision in response to the petition under 37 CFR 1.137(b), filed December 13, 2005, to revive the above-identified application.

The petition is dismissed because it lacks the required petition fee pursuant to 37 CFR 1.17(m).

Effective December 8, 2004, the small entity fee for a petition to revive an unintentionally abandoned application was increased to \$750. Petitioner submitted a partial petition fee payment \$700. There is no authorization found in the papers filed December 13, 2005 to charge any fee deficiency. Since any fee paid on or after December 8, 2004, must be paid at the revised amount, petitioner must now submit the petition fee deficiency of \$50.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include the \$50 petition fee deficiency and a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Mail Stop PETITION Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450 By hand:

U.S. Patent and Trademark Office

Customer Service Window, Mail Stop PETITION

Randolph Building 401 Dulany Street Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.

Sherry D. Brinkley **Petitions Examiner** 

Office of Petitions

Office of the Deputy Commissioner

for Patent Examination Policy